

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
MONTGOMERY DIVISION**

DARREN ANDERSON, et al.,

Plaintiffs,

v.

WAYNE FARMS, LLC,

Defendant.

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**CIVIL ACTION NO.
2:06-cv-00951-MEF-DRB**

**CONSENT MOTION FOR EXTENSION OF TIME FOR
PLAINTIFFS' TO RESPOND TO DEFENDANT'S MOTION TO
STAY PROCEEDINGS OR ALTERNATIVE MOTION TO APPLY
THE FIRST-FILED RULE**

Plaintiffs with the consent of Defendant in the above captioned case, and through its undersigned counsel, moves this Honorable Court for an extension of 10 days in which to file its response to Defendant's Motion to Stay, and alternatively, Defendant's Motion to Apply the First-Filed Rule.

1. Defendant filed the Motion to Stay on January 16, 2007.
2. Plaintiffs' response is due to be filed no later than February 13, 2007.
3. Counsel for Defendants consents to Plaintiffs' request for a 10 day extension subject to the approval of this Court.

4. Should the requested extension be granted, the response of Plaintiffs will be due to be filed on or before February 27, 2007.
5. Plaintiffs are currently discussing with Defendants, discovery stipulations agreeable to both parties.
6. Before expiration of the 10 day extension, Plaintiffs believe the issues brought forth in Defendant's Motion to Stay will be resolved as a result of the parties' discovery stipulations, thereby rendering the alleged need for the stay moot.
7. This action was filed on October 20, 2006.
8. Because this action is a collective action brought pursuant to the Fair Labor Standards Act, 29 U.S.C. §201 et seq., Plaintiffs' counsel is likely to resolve the issues made subject of Defendant's Motion to Stay, and Defendants have consented to the requested 10 day extension, the granting of this extension should not unduly delay these proceedings.

WHEREFORE, premises considered, Plaintiffs request the Honorable Court Grant this Motion and allow it until February 27, 2007 to file its response to Defendant's Motion to Stay.

Dated: February 13, 2007 Respectfully submitted,

THE COCHRAN FIRM, P.C.

/s/ Robert J. Camp

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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2007, I electronically filed the foregoing Motion with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to:

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